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REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-33 are currently pending.

Applicants have amended the Specification to correct a minor typographical error. No new matter is entered by way of this amendment.

In the Office Action, claims 1-2, 12-13 and 25-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,913,166 to Buttitta et al. Applicants have amended claims 1-2, 12-13 and 25-26 to overcome the rejection. In particular, Applicants have amended independent claims 1, 12 and 25 to indicate that the on-hold call is made prior to the determination that a handout from the first communication network to the second communication network is desired. Thus, independent claims 1, 12, and 25 are directed to the handout of on-hold calls that are in the first communication network.

On the other hand, Buttitta discloses a way to transfer an active call. The handout from the first communication network to the second communication network is made after detecting that a handout is needed. After detecting that the handover is needed, the mobile station puts the active call on-hold in the first system, switches to the public system, retrieves the held call and makes it active again. In other words, Buttitta discloses how to put a call on-hold as a part of the handout process of an active call. Buttitta does not disclose, teach or otherwise suggest using a call leg to retrieve from the first communication network a previously made on-hold call and maintaining that call on-hold while wireless communication unit is in the second communication network. Applicants therefore respectfully submit that the invention as claimed in claims 1, 12 and 25 are not anticipated by Buttitta. Applicants therefore respectfully request that the rejection under Section 102(b) be withdrawn. As claims 2, 13 and 26 depended upon allowable claims 1, 12, and 25, Applicants also request that the rejection under Section 102(b) to these claims be withdrawn.

Claims 3-11, 14-19 and 27-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buttitta as applied to claims 1, 12 and 25 and further in view of United

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States Patent No. 6,633,635 B2 to Kung et al. As stated above, Applicants have amended independent claims 1, 12, and 25 upon which claims 3-11, 14-19 and 27-31 depend, respectively. Thus, each and every limitation of independent claims 1, 12 and 26, including the limitation that a call is placed on-hold prior to the determination that a hand out is required, are apart of these rejected claims. Kung identifies and manipulates a set of calls that are in the call waiting state. Kung, however, is not related to difficulty of maintaining call identification and in particular on-hold calls during handoff between loosely coupled systems, which is being addressed by Applicants' claims. There is a fundamental difference between a call in a call waiting state and an on-hold state because the on-hold call has been accepted by the wireless communication while the call-waiting call has not been completed by the wireless communication unit.

Assuming that Kung includes the details as described by the Examiner (omitted here for simplicity), there is nothing to suggest that what is taught by Kung is relevant to the issues of handoff of on-hold calls in loosely coupled systems. Thus, there is no reason to combine the references as suggested in the Office Action. The combination of Buttitta and Kung does not disclose, teach, discuss or otherwise suggest transferring an on-hold call between a first communication network and a second communication network using a call-leg when the call is placed on-hold prior to the determination of the desire for a handout. Applicants therefore respectfully submit that claims 3-11, 14-19 and 27-31 are patentable and non-obvious over Buttitta in view of Kung. Applicants request that this rejection under Section 103(a) be withdrawn.

In the Office Action, claims 19 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buttitta as applied to claims 12-13 and 25-26 and further in view of well known prior art. Applicants have amended independent claims 12 and 25 upon which claims 19 and 32 depend, respectively. Thus, each and every limitation of independent claims 12 and 25 are included in these rejected claims. Assuming that the well known prior, which is not rewritten here for simplicity, art includes the details as described in the Office Action, the known prior art does not disclose, teach, discuss or otherwise suggest transferring an on-hold call between a first communication network and a second communication network using a call-leg when the call is placed on-hold prior to the determination of the desire for a handout. For these reasons and those given

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above, Applicants therefore respectfully submit that claims 19 and 32 are patentable and non-obvious over Buttitta in view of the well known prior art. Applicants request that this rejection under Section 103(a) be withdrawn.

Claims 20 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buttitta as applied to claims 12-13 and 25-26 above in view of well known prior art as applied in claims 19 and 32, and further in view of Kung. Applicants have amended independent claims 12 and 25 upon which claims 20 and 33 depend, respectively. Thus, each and every limitation of independent claims 12 and 25 are included in these rejected claims. Assuming that the well known prior art includes the details as described in the Office Action (omitted here), the known prior art does not disclose, teach, discuss or otherwise suggest transferring an on-hold call between a first communication network and a second communication network using a call-leg when the call is placed on-hold prior to the determination of the desire for a handout. For these reasons and the reasons explained above, Applicants therefore respectfully submit that claims 20 and 33 are patentable and non-obvious over Buttitta in view of the well known prior art. Applicants request that this rejection under Section 103(a) be withdrawn.

In the Office Action claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Buttitta in view of well known prior art and in further view of Kung. Applicants have amended claim 21 to overcome this rejection. In particular, Applicants have claimed that the step of exchanging messages is made pursuant to determining that the wireless communications unit has returned to the first communication network after an absence. As stated above, Kung does not relate to loosely coupled networks and as such does not provide guidance on how to effectuate exchanging messages in this arena. Moreover, the combination of Buttitta, Kung and well known prior art does not disclose, teach, discuss or otherwise suggest exchanging messages between the wireless communication unit and the network switch pursuant to determining that the wireless communication unit has returned to the first communication network. In addition, the combined cited prior art does not disclose, teach, discuss or otherwise suggest that the messages provide a listing of call appearance information for a plurality of calls where the call appearance information comprises a call state. Thus, Applicants respectfully submit that claim 21 is patentable and non-obvious over Buttitta in view of known prior art and

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further in view of Kung. Applicants therefore respectfully request that this rejection under Section 103(a) be withdrawn.

Claims 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buttitta, well known prior art and Kung and in view of RFC 2543—SIP: Session Initiation Protocol by Handley et al. and in further view of United States Published Application No. 2003/0154400 A1 to Pirttimaa et al. As stated above, Applicants have amended claim 21, upon which claims 22-23 depend. Applicants have amended claim 22 to further define the presence state and claim 23 to change the dependency of the claims. Assuming that Handley and Pirttimaa disclose the material cited in the Office Action, they fail to disclose, teach, describe or otherwise suggest the items added to the claim as described above. Thus, Applicants respectfully submit that claims 22-23 are patentable and non-obvious over Buttitta, well known prior art, Kung in view of Handley and further in view of Pirttimaa. Applicants therefore respectfully request that this rejection under Section 103(a) be withdrawn.

In the Office Action, claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Buttitta, well known prior art, and Kung in view of Handley and Pirttimaa and further in view of IEFT Internet Draft—Using SIP for Peer-to-Peer Third Party Call control by Mahy. As stated above, Applicants have amended claim 21, upon which claim 24 depends. In addition, Applicants have amended claim 24 to change the dependency of the claims. Assuming that Handley and Pirttimaa disclose the material cited in the Office Action, they fail to disclose, teach, describe or otherwise suggest the items added to the claims as described above. Thus, Applicants respectfully submit that claim 24 is patentable and non-obvious over the cited combination of six references. Applicants therefore respectfully request that this rejection under Section 103(a) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that

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any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,
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